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July 27, 2022

Hon. Loretta A. Preska
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: United States v. Derek Jones
Case No.: 21 Cr. 059 (LAP)

Dear Judge Preska:

Our office was appointed pursuant to the Criminal Justice Act on May 31, 2022 to represent Derek Jones in the above captioned case. We have reviewed what we believe are the relevant documents that were made available to us from his prior appointed counsel and we have consulted with our client on those materials to the extent feasible.

The court set an initial filing date which was modified to allow the Defendant to submit a Motion to Withdraw his guilty plea by Friday, July 22, 2022. The Motion was submitted timely at about 12:00 a.m. on the morning of July 23. However, our office delivered the Motion for the Defendant's review 3.5 hours before the deadline, and, unbeknownst to counsel, at a moment when he was the sole caregiver for his four minor children.

Our office stands by the Motion and the arguments forth therein. However, in light of the importance of the Motion and the Defendant's direct input regarding (among other issues) what guidance was and was not provided by his former counsel and the bases for his arguments of factual and legal innocence of the charges, Defendant required more time to review the Motion. For this reason, he has requested the opportunity to submit a supplemental filing in support of same.

Our office is respectfully requesting leave to make such a supplemental filing on or before August 3, 2022. We believe this will best serve the Defendant's objective to more fully develop the arguments in support of his Motion.

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② The government's response shall be filed no later than August 11.

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7/28/22

We have discussed this request with the Government and they consent as long as they have an additional week to reply.

Should you have any questions, please do not hesitate to contact me.

Very truly yours

s/Louis V. Fasulo, Esq.
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